

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Modesta R. Sabeniano,

Plaintiff,

—v—

Citibank, N.A., New York, et al.,

Defendants.

16-cv-1723 (AJN)

ORDER

ALISON J. NATHAN, District Judge:

On January 13, 2021, the Court received by mail the attached letter from the *pro se* Plaintiff. The Court construes Plaintiff's letter as requesting that the Court enforce a foreign judgment against the Defendants. The request is DENIED.

The Court recounted the procedural history of this case in its November 19, 2020 and December 8, 2020 orders denying similar motions. *See* Dkt. Nos. 86, 87. The Court again notes that on September 1, 2017, the Court warned Plaintiff that "any further vexatious filings or litigation against the Defendants," including "any frivolously brought motion for reconsideration of [the September 1, 2017 Memorandum and Order]," "may result in a filing injunction." Dkt. No. 63 at 9. The Court repeated this admonishment in the October 20, 2017 Order it issued following Plaintiff's filing of a "reply" to the Court's September 1, 2017 Memorandum and Order. *See* Dkt. No. 68 ("The Court emphasizes that this matter is now closed. Any other filings by Plaintiff may result in [a] filing injunction."). On September 23, 2019, Plaintiff filed a Rule 60(b) motion, Dkt. No. 72, and on October 17, 2019, Defendants filed a cross-motion requesting a filing injunction, *see* Dkt. No. 74.

The Court granted Defendants' cross-motion for a filing injunction, explaining that "[h]aving twice put Plaintiff on notice that future vexatious or frivolous filings against Defendants may result in a filing injunction, for reasons already stated in its September 1, 2017 Memorandum and Order, *see generally* Dkt. No. 63, the Court now bars Plaintiff from filing any motions or commencing any action against Defendants to enforce any judgment from the Philippines without first obtaining from the Court leave to file, regardless of whether she pays the filing fee or seeks IFP status." Dkt. No. 81 at 5. On October 30, 2020, Plaintiff filed yet another motion for reconsideration, and on November 19, 2020, the Court denied the motion, Dkt. Nos. 85, 86.

The present request is DENIED for the reasons the Court articulated in its November 19, 2020 and December 8, 2020 orders. *See* Dkt. Nos. 86, 87.

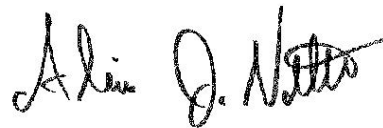
IT IS ORDERED that the Court will not entertain any new motions to enforce the judgment, having now ruled on the matter multiple times.

The Clerk of Court is directed to mail a copy of this Order to Plaintiff and to note that mailing on the public docket. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this Order would not be taken in good faith and therefore in forma pauperis status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444–45 (1962).

SO ORDERED.

Dated: January 14, 2021

New York, New York

A handwritten signature in black ink, appearing to read "Alison J. Nathan", is written over a horizontal line.

ALISON J. NATHAN
United States District Judge

HONORABLE JUDGE ALISON J. NATHAN
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

16-CV-1723 (AJN)

Modesta R. Sabeniano,
Plaintiff-Pro Se
-v-
Citibank, N.A., New York, Et al.,
Defendants

Urgent Request For Help To Release
Money Deposited To Citibank, N.A. et al.
1977 – 43 Years And The Illegally Transferred
From Swiss Account 1979 – 41 Years

Dear Honorable Judge Alison J. Nathan,

Please understand Plaintiff Predicament with Humbly Request from your Honorable Office to Grant the Judicial Permission to File for Leave of Court, of which I quote. Plaintiff is hereby Advised that any Future Filings Made without First Obtaining Court Permission Shall Result in Additional Sanctions. Any Such Request for Judicial Permission to File Additional Documents Must be made by Filing a Letter that is Not to Exceed One Page. Based on your Order dated November 19, 2020 of which I was there due to the Scheduled Personal Conference November 20, 2020 in your Chamber as Requested by the Plaintiff Received by the Party's Involved.

Your Honorable Judge, Recently I Received Another Order Dated December 08, 2020 As Previously Required to Write a Letter One Page Only for Plaintiff to Seek Your Assistance As The Only Way to Receive my Money Back, As An Elderly Woman 85 years of age Your Most Profound Assistance and Honest Help for Justice.

Please Most Honorable Judge, Help me that my Money Deposited Way Back (43 Years Ago) and they Illegally Transferred Money of Plaintiff from Citibank Geneva Switzerland (41 Years Ago) with the Total Amount of Nineteen Million, One Hundred Thousand Five Hundred Five Dollars And Four Cents (\$19,100,505.04) As Stipulated in the Computation Duly Certified and Prepared by U.S.A. Certified Accountant As Recorded In the Court Order dated March 26, 2002 and Recorded January 2, 2003 for Almost 18 years Now. And up to this Date December 20, 2020, No Proof of Payment Made by Citibank N.A. Et. Al.

In View Thereof, Please Help the Plaintiff 85 Years Old by Issuing An Order for Citibank N.A. Et. Al to Issue Manager's Check In the name of Modesta R. Sabeniano, the Plaintiff Pro Se, in the Amount of Nineteen Million, One Hundred Thousand Five Hundred Five Dollars And Four Cents (\$19, 100,505.04) and Must Be Deposited Directly to Bank Of America with Account No's. 325148825987 with Routing No. 121000358 Subject for Clearing And to be Certified by My Bank Mentioned. Your Honor this Court is the Only Source and Legally Authorized by Law to Help Any Person being Harassed and Underestimated by the Bank.

Please Honorable Judge, I need your Sincere, Honest and Based on Truth to Retrieve My Honestly Earned Money Deposited to Citibank N.A. Et, Al Since 1977 And They Illegally Transferred Amount 1979. I have No other means but to File this One Page Letter Per Court Rules With Permission Since I have Exhausted every Possible Means to get my Money Back Since 1985 have been Blocked by Procedural Maneuvered By Bank Lawyers for the Returned of Money from the Bank for 43 years and 41 years now.

Thank you for your Sincere, Honest and Kind Assistance that the Returned of my Money if Possible this coming Christmas.

Respectfully yours,


Modesta R. Sabeniano
Plaintiff Pro Se

DEC. 20, 2020